

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Implementation of the Local Competition)	CC Docket No. 96-98
Provisions in the Telecommunications Act)	
of 1996)	
)	
Maryland Public Service Commission)	NSD File No. L-00-171
Petition for Delegated Authority)	
To Implement Number Conservation)	
Measures)	

COMMENTS OF WORLDCOM, INC.

WorldCom, Inc. ("WorldCom") hereby submits comments on the petition of the Maryland Public Service Commission ("MD PSC") for additional delegated authority to implement number conservation measures (filed August 14, 2000). WorldCom notes that the Commission has already addressed several of the measures for which the MD PSC seeks additional authority. Indeed, so much of this petition has been mooted by Commission action that WorldCom recommends that the Commission at most grant only those portions of the petition that are consistent with action taken in and subsequent to the *NRO Order*.¹

The MD PSC seeks authority to: (1) institute thousand-block number pooling; (2) set and enforce number allocation standards; (3) maintain rationing procedures for six months following area code relief; (4) order the submission of utilization and forecast

¹ In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, *Order* (rel. March 31, 2000).

data from all carriers and audit such reporting; (5) order the return of unused, reserved, or under-utilized portions of NXX codes; (6) require sequential number assignments; (7) hear and address claims by individual carriers requesting numbering resources outside of rationing procedures. Of these, the *NRO Order* fully addresses numbers (2), (4), (5), and (6). Therein the Commission decided to establish national allocation rules, obviating any need for state-specific allocation rules.² The Commission further committed to establish a nationwide utilization threshold beginning January 1, 2001.³ It would make no sense whatsoever to delegate to the MD PSC authority to establish state-specific allocation rules that could last no longer than a couple of months.

The *NRO Order* also addresses in detail the authority of state commissions to seek utilization and forecast data.⁴ The MD PSC should review this discussion which prohibits state commissions from imposing regular reporting requirements, but allows some ad hoc data requests.

The *NRO Order* establishes a regime for reclamation of unused resources.⁵ State commissions, including the MD PSC, are authorized to investigate and determine whether codeholders have “activated” NXXs within the appropriate time frame. Once thousands-block pooling is implemented, state commissions may also order reclamation of unactivated or unused thousand blocks. Again, the MD PSC should review this section of the *NRO Order* and conform its actions to the authority granted therein.

² See, e.g., ¶ 104.

³ ¶ 115.

⁴ ¶ 76.

⁵ ¶ 237 *et seq.*

The *NRO Order* establishes national sequential assignment rules.⁶ It also requires state commissions to conform existing sequential assignment rules to these national rules by January 1, 2001.⁷ Since the Commission has established national rules, there is no reason to authorize the MD PSC to adopt and enforce state-specific rules.

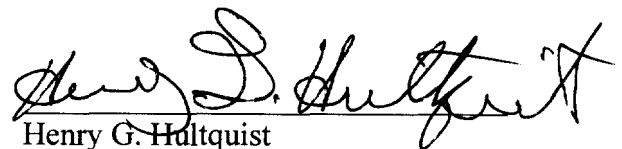
With respect to the remaining measures for which authority is sought – thousands-block pooling, maintenance of rationing for six months following NPA relief, and addressing requests for resources outside of rationing – the Commission should act consistently with other delegations made subsequent to the *NRO Order*.⁸

Finally, WorldCom has previously explained that there is no legitimate public policy served by allowing states to maintain rationing after relief is implemented. The purpose of rationing is to prevent complete exhaust prior to implementation of relief. Rationing prevents service providers from obtaining needed resources. It thus throttles consumer choice. Rationing should not be extended beyond the point where it is absolutely necessary to prevent exhaust.

Much of the authority sought by the MD PSC was made moot by the *NRO Order*. Insofar as the Commission grants petition in part, it should do so consistently with other delegations made subsequent to the *NRO Order*.

Respectfully submitted,

WorldCom, Inc.


Henry G. Hultquist

⁶ ¶ 244.

⁷ ¶ 246.

⁸ In the Matter of Petitions for Additional Authority to Implement Number Optimization Measures, CC Docket No. 99-200, *Order*, (rel. July 20, 2000).

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October 25, 2000

CERTIFICATION OF SERVICE

I, Vivian Lee, do hereby certify that copies of the foregoing Comments In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Maryland Public Service Commission petition for Delegated Authority To Implement Number Conservation Measures were sent via first class mail, postage paid, to the following on this 25th day of October 2000.

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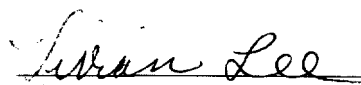
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